

Springerville Town Council
Minutes
July 22, 2004

Present: Kay Dyson Mayor, Mary Nedrow Vice Mayor and Councilman Scott Cray

Absent: Council members Mark Baca and Pete Hunt excused.

Staff: B. Scott Garms Town Manager, Val Cordova Town Clerk, Sterling Solomon and Edwardo Coronado Town Attorneys, Steve West, Robert Peña, Tom Malone and Max Sadler.

Public: Lynn Levingston, Martha Marquez, Linda Smith, Wendy Nichols, James Coppedge, Ron Carrillo, Ellen and Wayne Taylor, Jean Cooper, Joe Benavidez, Agnes and James Severeid, Eddie Harris, Shelva and Bill Davis, Jeff Barbe, Jeff McCue, Ernest and Lydia Anaya, Marian Castillo, Steve and Kathy Walker, Pete and Diane Gonzales, Raymundo and Daisy Morales and Henry Alba.

1. Mayor Dyson called the meeting to order at 6:00pm
2. Mayor Dyson led the Pledge of Allegiance and Invocation.
3. Public participation:

Comments were taken from Jeff Barbie again relating to the minutes. He also gave the council his view regarding Ed Shields appeal hearing.

Mr. Barbe stated that he was ashamed of his town and the way it's going.

Mr. Garms invited Mr. Barbe to come in and he would talk with him about his concerns.

Lynn Levingston stated that she supported the council completely.

Mr. Wayne Taylor asked if D and E Streets in Springerville East could be watered if not paved.

4. Reports:

Mr. Garms reported that the Planning and Zoning Commission met on July 15, 2004 to hear a request to rezone three parcels on U.S. 60. They could not take action on the first rezone because one member had to declare a conflict and there was not quorum and the issue tabled.

The parcel across the street from Woodland was denied and the third parcel for Vicente Ordonez was approved. There was a split vote or a tie for an application for a conditional use permit on Tumbling T for a fence will be moved to August meeting. A conditional use permit was approved on Main Street next to town hall for an 8 foot fence was approved with a condition of the 25 foot site triangle on the corner. A request for an assisted living facility on Voigt Street is a permitted use and required no action.

Mr. Garms reported on the RC&D meeting. They toured the bank stabilization on the Little Colorado within Springerville as well as the 319 grant outside of Eagar where approximately one mile of irrigation ditch was put underground.

Councilman Cray reported he will be attending a Blue Hills meeting tomorrow morning at 6:30am in Eagar.

Mayor Dyson reported that the airport meeting will be next Tuesday the 27th at noon. Representatives from the ADOT Aeronautics will be in attendance.

She and Councilman Hunt also attended the chamber board meeting.

She has a letter from the White Mountain Regional Medical Center announcing that they have emerged from Chapter 11 bankruptcy. They are having a community celebration on Saturday July 31st from 9:00am until 1:00pm with a dedication and ribbon cutting. Everyone is welcomed.

Mayor Dyson asked Tom Malone to report on the West Nile Virus that has now reached one hundred cases in Arizona.

Mr. Malone reported that the town is doing a larvicide's that kills mosquitoes and are doing fogging too. He asked that anyone with mosquitoes to call our public works and they will do what they can to assist.

5. Minutes: Consider approval of the minutes from the town council meeting held on July 7, 2004 at 6:00pm.

Motion by Scott Cray/Mary Nedrow to approve the minutes

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Scott Cray

6. Tumbling T. Drive: Review information regarding questionnaires the closure of Tumbling T. Drive and give direction to staff on how to proceed.

Mayor Dyson briefly recapped the direction they gave to Mr. Garms regarding surveying the people in that street which have been returned.

Mr. Garms reported that 20 questionnaires sent out to the parcel owners along Tumbling T. 75 %. One other questionnaire has come in and not been counted.

Over all 66 2/3 respondents want to close Tumbling T. Other 33.3 % want it left open.

Owners of property that live on the property: (46.6 % responses)

Close Tumbling T - 5 (71.4% of the responses)

Open Tumbling T – 2 (28.6% of the responses)

Owners that do not live there but rent or lease their property: = 8 of the responses (53.4% of the responses)

Close Tumbling T 5 (62.5% of the responses)

Open Tumbling T 3 (37.5% of the responses)

Mayor Dyson recapped what had taken place since it was opened in 2002 in response to complaints about dust. The County Supervisor's during their meeting relinquished all rights and privileges to that road and others in Eagar as well with a blanket resolution giving them to the municipalities.

She asked that the public limit their comments to three minutes per person.

Comments were heard from Ernest Anaya who spoke against the closure of Tumbling T while it is a paved road and the roads in their area of Springerville East are still dirt. They also have speeders and accidents on their roads. Other residents from Springerville East Pete and Diane Gonzales, Jean Cooper, Linda Smith, Wayne and Ellen Taylor, all agreed with Mr. Anaya and briefly gave their opinions.

Steve and Kathy Walker from Slash 4th also commented on the dust and speeding traffic as well as an increase of the traffic due to the closure of the road.

Robert Peña commented that speeding is a problem all over town not just in certain areas of town.

Lynn Levingston: Informed the Council that according to the Springerville Municipal Code the order of business is governed by Robert's Rules of Order. She cited "Roberts Rule of Order that expressly require majority rule on voting of issues" and stated that the majority of the questionnaires state they want the road closed.

Mr. Garms advised her that the records she had requested have been ready for her to pick up when she requested copies of the questionnaires.

Comments were also taken from residents that live in Tumbling T or that own property that were against the permanent closure of the road.

Henry Reyes, Wendy Nichols, Agnes Severeid, Kim Hoffman, James Coppedge, Ron Carrillo, Daisy Morales, and Henry Alba.

Those in favor of the permanent closure of Tumbling T were Jeff McCue, Lynn Levingston, Margaret McCue, and Martha Marques.

Suggestions were taken from some residents for a possible solution to the problem and asked that they consider everyone's feelings

Mrs. Margaret McCue informed the Council that this morning July 22nd at 9:28am a complaint was filed in the District Court for a motion for an investigation of the Springerville government policies and that they are going to set up surveillance cameras themselves.

Mr. Garms was asked to repeat what the overall response was from parcel owners. He explained that it was a mix. Some are owners that live there and others that may be renting out. He stated that this was not a vote, simply a questionnaire that was due back by July 15th.

Mayor Dyson asked if the subdivision was designed as a through road or if a traffic study had ever been done on Tumbling T.

Mr. Malone stated that he did not know but doubted it. It was not designed as a cul-de-sac.

Chief West stated that everyone is right regarding speeders. The problem is there is only one officer on duty trying to cover the entire town. They cannot have a dedicated officer there because then they can't cover other areas.

Fire Chief Sadler stated that the fire hydrant is on the north side of the closed gate at Tumbling T. If they did have a large structure fire in that area they would probably not have access to that hydrant. They will not deal with cutting locks and it is difficult to direct an engine around a blockade. The other hydrant is located closer to Slash 4th Street and would not have enough hose to go that far.

Mr. Solomon advised that Council that this would be a liability to the town.

Mr. Garms explained that there is a variety of traffic calming methods and everyone one of them is going to cost money. If the town had the luxury of a traffic engineer on staff an analysis could be done to find actual, physical evidence of whether there is excessive traffic or if the average speed limit is excessive. However the town does not have one on staff. In some cities if there is evidence that there is excessive traffic problems then the traffic calming procedures can help but cost money. Some municipalities pay for the installation or work with the neighborhood to pay for part of it. If evidence shows that there is not a problem but the neighborhood still wants those traffic devices installed then they will have to pay for it by creating a neighborhood district. Mr. Garms advised the Council that the sole purpose of a stop sign is to establish right of way. He stated that there was not a single good answer.

Mayor Dyson stated that they appreciate the patience of everyone and will consider everything when they make their decision. Anything other than putting a gate across the road is going to cost money i.e. speed bumps, stop signs, cul-de-sacs.

Councilman Cray commented that in listening to Ms. Levingston's statement regarding the majority rules there were more people here in favor of keeping the road open than those that wanted to keep it closed.

Motion by Scott Cray/Mary Nedrow to reopen Tumbling T and change the yield signs to stop signs and direct the town manager to direct the police chief to enforce the posted speeds.

Discussion:

Mayor Dyson stated that this was a difficult situation and they need to do what is best for the town. Her number one concern is the integrity of that neighborhood. The majority want it closed. The main issue is the thoroughfare, the cut off road between U.S. 60 and the rest of the valley. She felt that Tumbling T has been studied enough. She does not want to put any more money into Tumbling T. There many other roads that need to be paved, chip sealed or dust abatement. She does not want to put money into cul-de-sacs or turn around points. She possibly sees a stop sign at the corner of Slash 4 and Tumbling T.

Vote:	Ayes:	Scott Cray
	Nays:	Kay Dyson' Mary Nedrow

Motion failed:

Vice-Mayor Nedrow stated that she is not opposed to opening it later on she would like more information and a price to have a traffic study done.

Mr. Garms said he would look into it but suggested that we could do an informal study. It would not be scientific but an individual could be put out there for one hour blocks of time sporadically days and nights to get a sampling to see what type of traffic there is.

7. 2004-2005 Budget: Review and approve a tentative 2004-2005 budget.

Mr. Garms advised the council that this is the budget presented last month with the reflected changes. Tonight a tentative budget needs to be adopted.

Councilman Cray commented that they tentatively agreed on the budget but struggles with the fact that they are not putting enough money into Hurf and wants to state that he wants to see more dollars going into Hurf.

Mr. Garms explained that once this budget is adopted the bottom line number will not change. Changes will need to be made within line items. We just can't spend more than what the bottom line is.

Motion by Scott Cray/ Mary Nedrow to adopt the 2004-2005 tentative budget to the Town of Springerville in the amount of \$7,247,675.00.

Vote:	Ayes:	Kay Dyson Mary Nedrow Scott Cray
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8. Fire Command Vehicle: Consider authorizing the purchase of a command vehicle for the Springerville Fire Department.

Fire Chief Max Sadler explained that he had been approved for a grant for \$19,000 with a 10% matching funds of \$1,900 budgeted in last years budget. This grant is for a fire command vehicle. He asked if he could use an additional ten thousand dollars from money the fire department will be reimbursed from the State for fires they have responded to with contracted equipment to assist with this purchase. He reported that they should be reimbursed over thirty-two thousand dollars not including any of the payrolls in addition to this amount.

Mr. Garms explained that five-thousand dollars was projected revenues for fire fighters revenues in this budget and it is going to be well over.

Motion by Scott Cray/Mary Nedrow to authorize the purchase of a fire command vehicle utilizing the \$19,000 fire department grant with the remaining cost to be supplied by the General Fund not to exceed \$15,000...

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Scott Cray

9. Adjournment:

Motion by Scott Cray/Mary Nedrow to adjourn.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Scott Cray

The meeting adjourned at 7:48pm

Kay Dyson, Mayor

ATTEST:

Town Clerk

I hereby certify that the foregoing is a true and correct copy of the minutes of the Springerville Town Council in regular session on Thursday July 22, 2004. I further certify that the meeting was duly called and quorum was present.

Dated this 27th day of July 2004

Town Clerk